CBA

CONNECTICUT BROADCASTERS ASSOCIATION

The Connecticut General Assembly
Labor & Public Employees Committee
Room 3800
Legislative Office Building
Hartford, Connecticut 06106

February 8, 2023

Dear Members of the Labor & Public Employees Committee:

Thank you for the opportunity to testify on **H.B. 6594, An Act Concerning Non-Compete Agreements**. The Connecticut Broadcasters Association represents the FCC-licensed Television and Radio stations of Connecticut, and we have a few comments about the bill as written:

In Conn. Gen. Stat. § 31-50b, the Connecticut broadcasting industry is already subject to a prohibition of non-compete agreements for any employee, except those employees whose services primarily include sales or management functions. It appears that H.B. 6594 intends to preserve this exemption, which means that 30-50b is a typographical error which needs to be corrected accordingly.

Based upon Sec. 3, Line 145 (c), we believe that H.B. 6594 intends to maintain the status quo with respect to existing law as it applies to exclusivity, nonsolicitation, nondisclosure, and confidentiality agreements that are commonly used in broadcasting and other industries. However, it might be construed that H.B. 6594 negates the exemptions provided for sales and management personnel in § 31-50b if such exempted sales and management personnel fall below the proposed minimum wage thresholds. We would like to have it clarified that H.B. 6594 does not in any way negate or supersede §31-50b.

And as we expressed last year, we have concern that many employees in the Connecticut broadcasting industry are members of unions whose terms of employment are collectively bargained. We don't know how H.B. 6594 would be applied in such cases where the collectively-bargained terms are in conflict with H.B. 6594.

We thank you for your consideration of our point of view and welcome the opportunity to discuss H.B. 6594 further with you at your convenience.

Sincerely,

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